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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204404
Party	Plaintiff David M. Holder
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Submission	Motion to Amend Pleading/Amended Pleading
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Date	01/15/2015
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**IN THE UNITED STATES PATENT AND TRADE MARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application No. 85397317
filed August 13, 2011 for the mark "VINCENT"

David M. Holder,

Opposer,

-v.-

Opposition No. 91204404

Vincent Motors LLC

Applicant

AMENDED NOTICE OF OPPOSITION

David M. Holder, a citizen of the United Kingdom and having a business address at Meriden Works, Birmingham Road, Millisons Wood, Coventry, CV5 9AZ, England, United Kingdom, (hereinafter "Opposer") believes he will be damaged by registration of the mark shown in Application Ser. No. 85397317 filed August 13, 2011 (the "Application") for the mark "VINCENT" and, therefore, opposes that registration pursuant to 15 U.S.C. §1063 and 15 U.S.C. § 1125(c). That Application is an Intent-to-Use application, filed under 15 U.S.C. § 1051(b), and was published for opposition on January 31, 2012.

1. On February 29, 2012, Opposer obtained a 30-day extension of time to Oppose the allowance and registration of the mark in the Application, and this Notice of Opposition is being filed within the 30 day extension period.

2. Opposer now is using the trademark VINCENT in the U.S. on or in connection with motorcycles, motorcycle parts and accessories, parts catalogs and other printed matter, clothing, and other products, and has been so using VINCENT in the U.S. since long prior to August 13, 2011, the filing date of the opposed Application 85397317.
3. Opposer is the owner of the following trademark registrations for VINCENT and related marks in the following jurisdictions:

Date of Grant of Registration	Mark	Jurisdiction	Registration No.	Goods & Classes
15/12/1998	"VINCENT"	CTM	332940	Class 12 - motorcycles, vehicles for locomotion by land, air, water or rail, parts and fittings for the aforesaid goods
22/01/2010	"VINCENT" with banner	CTM	4428959	Class 6 - miniature motorcycles of common metal, being an ornament; model motorcycles and mopeds, being ornaments of common metal; scale model motorcycles and mopeds of common metals
28/04/2004	"HRD"	CTM	2885713	Class 9 - motorcycle safety clothing Class 12 - motorcycles, vehicles for locomotion by land, air, water or rail, parts and fittings for the aforesaid goods; motorcycle components, parts and accessories

28/11/2006	"The Egli-Vincent" with banner	CTM	4190641	Class 12 - vehicles, apparatus for locomotion by land, motors and engines for land vehicles Class 37 – repair, maintenance and restoration of land vehicles Class 40 – machining of metal parts for land vehicles
02/06/1989	"VINCENT"	UK	1299480	Class 12 – motorcycles and parts and fittings therefore, all included in Class 12
14/12/2001	"VINCENT"	UK	2181609	Class 9 – motorcycle safety clothing Class 25 – shirts, T-shirts, sweatshirts, polo shirts
23/01/2009	"VINCENT" with banner	UK	2472832	Class 16 – manuals; price lists, catalogues; technical sheets; specifications; drawings relating to classic and/or vintage motorcycles

4. "VINCENT" is now and continuously has been, since prior to August 13, 2011, a famous trademark in the United States and internationally, for motorcycles and related goods.
5. Opposer is and long has been internationally known as the owner of the VINCENT trademark.
6. Applicant seeks to register "VINCENT" in Classes 9 and 12 for motorcycle helmets, motorcycles, and structural parts therefor. Opposers will be damaged by the grant of such a registration in that applicant's use of the mark on the goods set forth in the Application is

likely to create confusion with Opposer and Opposer's goods, which are essentially the same as the Applicant's goods, and would be sold under the same mark.

7. Opposer also will be damaged in that use and registration of the mark by applicant will dilute the strength and quality of Opposers' trademark rights.
8. Accordingly, Opposer hereby requests the grant of this Opposition and final refusal of the opposed Application.

Date: January 15, 2015

A handwritten signature in black ink, appearing to read "Gregor Neff", written over a horizontal line.

Gregor N. Neff

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Attorney and U.S. Agent for the Opposer, David M. Holder

CERTIFICATE OF SERVICE

It is certified that the foregoing AMENDED NOTICE OF OPPOSITION was served upon the following attorneys of record for Applicant by e-mail (as agreed) on the 15th day of January 2015:

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A handwritten signature in cursive script, reading "Gregor N. Neff", written over a horizontal line.

Gregor N. Neff